

DISCUSSION OF THE AMENDMENT

Due to the length of the specification herein, Applicants will cite to the paragraph number of the published patent application (PG Pub) of the present application, i.e., US 2007/0027265, when discussing the application description, rather than to page and line of the specification as filed.

Claim 11 has been amended into independent form to claim a method of cleaning dishware with the copolymer of Claim 1.

Claims 1, 7, 9, 13, 15 and 17-21 have been canceled.

Remaining claims have been amended to be consistent with the above-discussed amendment to Claim 11. Claims 2 and 16 have additionally been amended to correct typographical errors.

New Claims 22-30 have been added.

Claim 22 is supported in the specification at paragraph [0068]. Claim 23 is analogous to above-amended Claim 11 but is drawn to rinsing dishware in a machine dishwasher, as supported in the specification at paragraph [0068]. Claims 24-28 correspond to Claims 2-6, but depend on Claim 23. Claims 29 and 30 correspond to Claims 11 and 12 prior to the above-discussed amendment.

No new matter is believed to have been added by the above amendment. Claims 2-6, 10-12, 14, 16 and 22-30 are now pending in the application.

REMARKS

The rejection of Claims 1-7 and 9-21 under 35 U.S.C. § 103(a) as unpatentable over US 4,604,431 (Fong et al) in view of US 5,760,154 (Krause et al), is respectfully traversed.

All the claims are now drawn to a method of cleaning or rinsing dishware, except Claims 28 and 29. The Examiner finds, in effect, that Fong et al, which is described in the specification herein at paragraph [0014], discloses the present invention except for the requirement of at least two different monoethylenically unsaturated carboxylic acid monomers. The Examiner relies on Krause et al for a disclosure of graft copolymers derived from monomers including at least two different monoethylenically unsaturated carboxylic acid monomers, and holds that it would have been obvious to use such monomers in Fong et al.

In reply, Fong et al discloses their polymers for use “as flocculants, corrosion inhibitors and scale inhibitors, and the like” (column 1, lines 11-12). It is respectfully submitted that “and the like” would not be considered inclusive of cleaning dishware by persons of ordinary skill in the art.

While Krause et al discloses a variety of utilities for their graft copolymers, including dish washing agents (column 7, line 14), it is only with the present disclosure as a guide that one skilled in the art would combine Fong et al and Krause et al, since the graft copolymers of Krause et al bear no resemblance to the polymers of Fong et al. In Fong et al, the backbone of their polymer is, for example, a polymer or copolymer of acrylic acid or methacrylic acid. In Krause et al, on the other hand, the backbone of their graft copolymer is a polyhydroxy compound, preferably starch or cellulose (column 4, line 38ff). No nexus has been established between the disparate polymers of Fong et al and Krause et al such that one skilled in the art would expect them to have similar properties.

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Since one of ordinary skill in the art would not have combined Fong et al and Krause et al, for reasons discussed above, Claims 28 and 29 are also patentable.

For all the above reasons, it is respectfully requested that the rejection be withdrawn.

The objection to Claims 15-17, is respectfully traversed. Indeed, the objection is now moot in view of the above-discussed amendment. Accordingly, it is respectfully requested that this objection be withdrawn.

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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